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Attorney Docket: Cyto-Nozzle-Div

*A. Lawrence*  
*#816*  
*4-16-03*

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IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

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In Re the Application of:	Ger Van den Engh
Application Number:	09/689,585
Filing Date:	October 12, 2000
Group Art Unit:	1743
Examiner:	Ludlow, J.
For:	Flow Cytometer Droplet Formation System

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**AMENDMENT AND REQUEST FOR RECONSIDERATION  
UNDER 37 C.F.R. § 1.111**

**Introductory Comments:**

This amendment and request for reconsideration is in response to the Patent and Trademark Office communications mailed October 3, 2002 in Paper No. 6. Please amend the above identified application according to the section, "Amendments to Claims". A shortened statutory period of three months has been set, making a response to this action due on or by January 3, 2002. The applicant is requesting that this time period be extended for three months to and including April 3, 2003 and has included a Petition for Extension of Time along with the prescribed fee. The applicant believes all concerns have been addressed and that all claims remaining in the case are in condition for allowance.

In accordance with the preliminary amendment rule change notice waiving 37 C.F.R. § 1.121 issued January 31, 2003, this amendment is made using the newly permitted format with each heading beginning on a separate page.

The amendments submitted in this response address concerns from the action. They should be understood to be made as a practicality only, and should not be construed as creating any situation of file wrapper estoppel or the like as all rights are expressly reserved and may be pursued in this or other applications, such as divisionals, continuations, or continuations-in-part if desired. It should also be understood that the applicant has intended to capture as full and broad a scope of coverage as legally available. ~~To the extent that insubstantial substitutes are made, to the extent that the applicant did not in fact draft any claim so as to literally encompass any particular embodiment, and to the extent otherwise applicable, the applicant should not be understood to have in any way intended to or actually relinquished such coverage as the applicant simply may not have been able to anticipate all eventualities.~~